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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,292	02/26/2002	Nicolai Tarasinski	09006-US	7110

7590 07/10/2003

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EXAMINER

BOTTORFF, CHRISTOPHER

ART UNIT

PAPER NUMBER

3618

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/084,292

Applicant(s)

TARASINSKI, NICOLAI

Examiner

Christopher Bottorff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

The information disclosure statement (IDS) submitted on February 26, 2002 was considered by the examiner.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sabelstrom et al. US 5,906,480 in view of Hicks et al. US 5,179,981.

Sabelstrom et al. teaches a vehicle comprising an internal combustion engine 1 and a turbocharger. See the Figure. The turbocharger includes an exhaust turbine 4 in an exhaust train 3 from the engine and a charge air compressor 5 driven by the exhaust turbine 4, which serves as a source of compressed air. See column 1, lines 32-34; column 2, lines 47-58 and 66-67; and column 3, lines 1-8. A charge air channel 2 is

disposed between the compressor and the engine, and a secondary compression device B further increases the pressure of the compressed air generated by the turbocharger. The compressed air from the turbocharger is delivered to storage tank I and is then distributed to points of consumption H. See column 3, lines 8-11.

Sabelstrom et al. does not disclose that a point of consumption is a tire pressure adjusting device. However, Hicks et al. teaches that a tire pressure adjusting device 10 is a common point of consumption for compressed air generated by a vehicle air compression system. See Figure 1. The tire pressure adjusting device of Hicks et al. includes pneumatic tires 16, 18 and a fluid connection 20 between the tires and the source of compressed air 72, 74. See column 4, lines 1-14, and column 5, lines 12-19. A valve 70 in the fluid connection, when open, allows communication between the source of compressed fluid and the tires. Also, distribution lines 24, 26 are provided from the valve to each tire and individual tire valves 32, 34 are provided in each distribution line. See column 4, lines 15-22.

From the teachings of Hicks et al., providing a tire pressure adjusting device as a point of consumption for the compressed air of Sabelstrom et al. would have been obvious to one of ordinary skill in the art at the time the invention was made. This would allow an operator to control tire pressure of the vehicle and would provide a valuable use for the compressed air. Moreover, this combination would establish the fluid connection between the tires and source of compressed air as a fluid connection between the charge air channel and the tires.

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In regard to claims 8 and 9, the examiner takes official notice that the practice of providing a temperature sensor in an exhaust gas train from an engine before an exhaust gas turbine of a turbocharger and the practice of providing a pressure sensor that can detect the pressure in a charge air channel were old and well known in the art at the time the invention was made. Providing temperature and pressure sensors, as claimed, would have been obvious to one of ordinary skill in the art at the time the invention was made in order to monitor system parameters to better control system operation.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sabelstrom et al. US 5,906,480 in view of Hicks et al. US 5,179,981 as applied to claim 1 above, and further in view of Kamel US 5,386,698.

Sabelstrom et al. does not disclose that a waste gate valve is connected to the charge air channel. However Kamel teaches the well known practice of providing a waste gate valve 30 in a charge air channel. See column 4, lines 10-19. From the teachings of Kamel, providing a waste gate valve in the charge air channel of Sabelstrom et al. would have been obvious to one of ordinary skill in the art at the time the invention was made. This would help to control the exhaust gas flow through the turbocharger.

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***Allowable Subject Matter***

Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lauterbach et al., Schmidt et al., and Abthoff et al. disclose vehicle air compression systems. Scholer, Boardman, Genna, Kis, and Pike disclose tire pressure adjusting devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (703) 308-2183. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Johnson can be reached on (703) 308-0885. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Christopher Bottorff  
July 3, 2003